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AUG 30 2004
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/829,397 | 04/22/2004 | Michael Schindzielorz | 039861-0112 |

CONFIRMATION NO. 5403

FORMALITIES LETTER



OC000000013098569

22428
FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

Date Mailed: 06/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/31/2004 SZEWDIE1 00000079 190741 10829397

| | | |
|------------|--------|----|
| 01 FC:1001 | 770.00 | OP |
| 02 FC:1051 | 130.00 | OP |
| 03 FC:1201 | 172.00 | OP |
| 04 FC:1202 | 36.00 | DA |
| | 576.00 | OP |

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$784** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1684** for a Large Entity

- \$770** Statutory basic filing fee.
- \$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$784
 - \$172 for 2 independent claims over 3.
 - \$612 for 34 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael SCHINDZIELORZ et al.

Title: LAMINATED SPACER FABRIC

Appl. No.: 10/829,397

Filing Date: 04/22/2004

Examiner: Unassigned

Art Unit: 1771

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed June 30, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

Declaration and Power of Attorney (4 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

Return Copy of Notice to File Missing Parts

Translation

Drawings

Preliminary Amendment

[X] Check in the amount of \$1,684.00 in payment of filing fee, additional claims and surcharge fee
(37 C.F.R. § 1.16(e))

[] Please charge Deposit Account No. 19-0741 in the amount of \$0.00 in payment of surcharge fee
(37 C.F.R. § 1.16(e))

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 30, 2004
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
Facsimile: (202) 672-5399

By 
Howard N. Shipley
Attorney for Applicant
Registration No. 39,370

Claim for Convention Priority and certified copy of priority documents

Transmittal for Supplemental Data Sheet with Supplemental Data Sheet attached.

Information Disclosure Statement

Form PTO/SB/08 with copies of 4 references attached

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Extension for response filed within the first month

Extension for response filed within the second month

Extension for response filed within the third month

Extension for response filed within the fourth month

Extension for response filed within the fifth month

The filing fee is calculated below:

| | Claims as Filed | Included in Basic Fee | Extra Claims | Rate | Fee Totals |
|-------------------------------------------------------------------------------------------------------|--------------------|-----------------------------|-------------------|----------|---------------|
| Basic Fee | | | | \$770.00 | \$770.00 |
| Total Claims: | 54 | - 20 = 34 | x \$18.00 | = | \$612.00 |
| Independents: | 5 | - 3 = 2 | x \$86.00 | = | \$172.00 |
| If any Multiple Dependent Claim(s) present: | | | + \$290.00 | = | \$0.00 |
| Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee | | | \$130.00 | = | \$130.00 |
| | | | SUBTOTAL: | = | \$1,684.00 |
| [] Small Entity Fees Apply (subtract ½ of above): | | | | = | \$0.00 |
| | | | TOTAL FILING FEE: | = | \$1,684.00 |
| Difference to pay: | | | TOTAL FEE: | = | \$1,684.00 |
| | | | - \$0.00 | - | \$1,684.00 |



Atty. Dkt. No. 039861/0112

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael SCHINDZIELORZ et al.

Title: LAMINATED SPACER FABRIC

Appl. No.: 10/829,397

Filing Date: 04/22/2004

Examiner: Unassigned

Art Unit: 1771

TRANSMITTAL FOR SUPPLEMENTAL APPLICATION DATA SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is a Supplemental Application Data Sheet in order to provide complete addresses of all of the inventors.

Respectfully submitted,

Date August 25, 2004
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5582
Facsimile: (202) 672-5399

By 

Howard N. Shipley
Attorney for Applicant
Registration No. 39,370